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SEP 16 1985

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Honorable Tom Burleson
Judge of Probate
Cullman County
P. O. Box 237
Cullman, AL 35055

Boards of Education -
Superintendents of Education -
Officers and Offices

The requirements for the
office of Cullman County
Superintendent of Education
are governed by local Act No.
529 and Code of Alabama 1975,
§16-9-2.

Dear Judge Burleson:

We are in receipt of your recent request for an Attorney
General's opinion. Your request was as follows:

Should a citizen of Cullman County,
Alabama seek the office of Cullman
County superintendent of education,
would he have to possess those quali-
fications as set out in local Act No.
529 and not those set out in Section
16-9-2, Code of Alabama, 1975?

Honorable Tom Burleson
Page Two

As a general rule, if a local law is in conflict with a general statute, the local law is unconstitutional. However, local Act 529, which was passed on August 27, 1973, can be harmonized with Code of Alabama 1975, §16-9-2. Act No. 529 requires more stringent qualifications for the Cullman County Superintendent of Education than the general law. Therefore, a candidate for the office of Cullman County Superintendent of Education must meet the requirements of both the general law and the local law.

I hope this fully answers your question. If, however, we may be of further assistance, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
Attorney General

By:



ALICE ANN BOSWELL
ASSISTANT ATTORNEY GENERAL

AAB:jd